

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In the Matter of

Debra P. Marin

Case No.: 12-23649

**CONSENT ORDER  
PARTIALLY LIFTING  
AUTOMATIC STAY**

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**WHEREAS**, on or about September 17, 2012, the Debtor Debra P. Marin filed a Voluntary Petition under chapter 13 of the United States Bankruptcy Code which is pending in this Court; and

**WHEREAS**, the Town of Southeast has zoning violations presently pending in the Town of Southeast Justice Court against the Estate of Beatrice Marin; and

**WHEREAS**, the Executrix of the Estate because of this pending case in Bankruptcy Court has advocated to the Surrogate Court of Putnam County that the Town code/zoning prosecutions ready for trial as against the Estate of Marin should be stayed because of the automatic bankruptcy stay; and

**WHEREAS**, the Putnam County Surrogate Court by Order to Show Cause dated February 19, 2013 has granted a temporary injunction staying the prosecution in the Southeast Justice Court.

**NOW IT IS HEREIN STIPULATED AND AGREED** that any automatic stay occasioned by the pending Voluntary Petition of Debra Marin in the United States Bankruptcy Court is not applicable as against the Town of Southeast as it relates to its prosecution of the zoning violations now pending against the Estate of Marin, which are referenced in the aforesaid Order to Show Cause.

**IT IS FURTHER STIPULATED AND AGREED** that if at all applicable, the Debtor consents that such a stay, as it may apply to the pending zoning and Town code violations, may be lifted.

This Stipulation may be signed in counterparts and each separate signature shall constitute part of one original.

/s/ Jody L. Kava  
**United States Trustee**  
Ch 13 Trustee  
For Jeffrey L. Sapir  
Ch 13 Trustee

/s/ Debra P. Marin  
**Debra P. Marin**  
***Debtor***

/s/ Gary R. Gjertsen  
**Gary R. Gjertsen, Esq.**  
***Attorney for Debtor***

It is SO ORDERED this 1<sup>st</sup> day of March, 2013:

/s/Robert D. Drain  
**Honorable Robert D. Drain**  
**United States Bankruptcy Judge**  
**Southern District of New York**